

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA  
COMMISSION DIRECTIVE**

ADMINISTRATIVE MATTER	<input type="checkbox"/>	DATE	<u>March 16, 2011</u>
MOTOR CARRIER MATTER	<input type="checkbox"/>	DOCKET NO.	<u>2011-51-W</u>
UTILITIES MATTER	<input checked="" type="checkbox"/>	ORDER NO.	<u>2011-226</u>

**SUBJECT:**

DOCKET NO. 2011-51-W - Petition of Clarendon County Regarding the Acquisition of Eagle Point Water System - Discuss this Matter with the Commission.

**COMMISSION ACTION:**

This Docket was opened at the request of Clarendon County, which is seeking approval to transfer the Eagle Point Water Company, Inc. to the County. Another issue in the Docket concerns a Petition to Intervene filed by Wrigley & Associates, Inc.

As background, the Eagle Point Water Company is a facility certificated by this Commission. Some time ago, the facility's owner died, and in 2006 the Department of Health and Environmental Control entered into a receivership agreement with Wrigley & Associates to operate the Company while a permanent owner was sought to manage its operations. At the beginning of this year, Clarendon County acquired the facility from the estate of the former owner by quit claim deed. As mentioned above, it now seeks approval for the transfer. Wrigley & Associates' receivership agreement automatically terminates once the transfer is approved.

On February 4, 2011, Wrigley & Associates petitioned to intervene, stating that it had "not received all compensation due to it" and vaguely claiming "other economic interests" in Eagle Point. On February 9, 2011, the Commission issued a Directive asking Wrigley & Associates to clarify its claim of "other economic interests". It replied that Wrigley & Associates had not received all monies due to it under the receivership from payments by water customers and expenses incurred related to the operation of the Water Company, and it appeared to question the validity of the quit claim deed.

Mr. Chairman, I still do not find that this further explanation is sufficient to support Wrigley & Associates' intervention in the Docket. The questions raised by the intervention request largely deal with issues of the validity of a property transfer and claims for compensation under an agreement which the Petition admits is the result of a Court-appointed receivership. These are issues for the circuit court. As for the claim of "other economic interests" for which this Commission sought further clarification, Commission Regulation 103-825(A)(3) states that a Petition to Intervene must clearly set forth the facts and grounds of the proposed intervention. Wrigley & Associates has now had two opportunities to do so, but no response has been presented that shows any issue over which the Commission can grant jurisdictional relief. Therefore, I move that we deny Wrigley & Associates' Petition to Intervene. Further, Mr. Chairman, I move that, in light of that determination, and hence the absence of objection by any party, we approve the transfer of Eagle Point Water Company, Inc. to Clarendon County as being in the public interest.

PRESIDING: WrightSESSION: RegularTIME: 2:00 p.m.

MOTION YES NO OTHER

Attending the Current Issues: Santa Fe Conference

FLEMING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Absent</u>
HALL	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
HAMILTON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
HOWARD	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Absent</u>
MITCHELL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
WHITFIELD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
WRIGHT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

in Albuquerque, New Mexico

Attending the Current Issues: Santa Fe Conference  
in Albuquerque, New Mexico

(SEAL)



RECORDED BY: J. Schmieding